

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-06-334/342
KS-06-142/149

Beginning Date: September 21, 2006
Comments Due: October 21, 2006

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-06-334/342

Pending Permits for Confined Feeding Facilities

Name And Address of Applicant	Legal Description	Receiving Water
Dale Haverkamp 1426 O Road Seneca, KS 66538	NW/4 of Section 04 T04S, R14E Nemaha County	Kansas River Basin

Kansas Permit No.: A-KSNM-S032

This is a new permit for a new facility consisting of two buildings 41 ft. x 253 ft. Each building will house 1,200 head (480 animal units) of swine greater than 55 pounds, for a total of 2,400 head (960 animal units). Each building will have a concrete pit beneath slotted floors for collecting all produced manure and wastewater.

Bernard Adam Deters
1568 F Road
Centralia, KS 66415

NW/4 of Section 24
T03S, R11E
Nemaha County

Kansas River Basin

Kansas Permit No.: A-KSNM-M012

This is a new permit for modification of an existing dairy facility having a maximum capacity of 70 head (98 animal units) of mature dairy cows, 34 head (34 animal units) of dairy heifers greater than 700 pounds and 66 head (33 animal units) of dairy calves 700 pounds or less, for a total of 165 animal units. Proposed modifications to the dairy operation consist of adding an earthen wastewater retention structure.

Edward Busenitz 4423 SE 12 th Street Newton, KS 67114	SE/4 of Section 24 T23S, R01E Harvey County	Little Arkansas River Basin
--	---	--------------------------------

Kansas Permit No.: A-LAHV-S020

This is a renewal permit for an existing facility for 400 head (160 animal units) of swine weighing more than 55 pounds.

Boeckman Fams William J. Boeckman 1146 O Road Goff, KS 66428	SW/4 of Section 09 T04S, R13E Nemaha County	Missouri River Basin
---	---	----------------------

Kansas Permit No.: A-MONM-B003

This is a modified renewal permit for an existing facility that is changing the operation type and increasing animal units. The facility is changing from a dairy operation with 110 animal units to a maximum of 100 head (100 animal units) of beef cattle weighing more than 700 pounds and 100 head (50 animal units) of beef cattle weighing 700 pounds or less and 30 head (3 animal units) of sheep for a new total of 153 animal units.

Quality Feeders, Inc.- (Ellinwood) Dan & Paul LaTourell 425 B SW 29 th Ave. Great Bend, KS 67530	NE/4 of Section 10 T20S, R12W Barton County	Lower Arkansas River Basin
--	---	-------------------------------

Kansas Permit No.: A-ARBT-C005	Federal Permit No.: KS0083879
--------------------------------	-------------------------------

This is a modified permit for an existing facility. The modification includes a name change and a pen density increase from 2,500 head (2,500 animal units) of cattle to 4,000 head (4,000 animal units) of cattle each weighing more than 700 pounds. The proposed modification includes a pen density increase only, with no expansion of the facility footprint or boundary.

Zenith Project, LLC Dr. Steven Henry, Vice-President 2375 Avenue D Geneseo, KS 67444	SE/4 of Section 14 T18S, R07W Rice County	Little Arkansas River Basin
---	---	--------------------------------

Kansas Permit No.: A-LARC-S005

This is an application for a permit for an expanding facility. The facility is proposing to extend one of the

buildings by 23 feet. The expansion will increase the maximum number of swine weighing 55 pounds or more by 440 head to a new total of 1,866 head (746.4 animal units) and the maximum number of swine weighing less than 55 pounds by 420 to a new total of 2,220 head (222 animal units).

Krehbiel Farms Terry Krehbiel 23306 S. K-17 Hwy Pretty Prairie, KS 67570	NW/4 of Section 13 T26S, R06W Reno County	Lower Arkansas River Basin
---	---	-------------------------------

Kansas Permit No.: A-ARRN-B006

This is a renewal permit for an existing facility for 350 head (350 animal units) of beef cattle.

Theron Culwell Route 2, Box 120 St. Francis, KS 67756	NW/4 of Section 31 T05S, R39W Cheyenne County	Upper Republican River Basin
---	---	---------------------------------

Kansas Permit No.: A-URCN-B005

This is a permit renewal for an existing facility for 999 head (999 animal units) of beef cattle weighing greater than 700 pounds.

Daryl Bechtelheimer 2417 224 Rd Sabetha, KS 66534	NE/4 of Section 14 T01S, R14E Nemaha County	Missouri River Basin
---	---	----------------------

Kansas Permit No.: A-MONM-S029

This is a renewal permit for an existing facility for a maximum of 500 head (200 animal units) of swine greater than 55 pounds. The operation also has 20 head (20 animal units) of cattle weighing more than 700 pounds and 20 head (10 animal units) of cattle weighing 700 pounds or less that have always been at the facility, but have never been permitted, for a total of 230 animal units. The swine operation consists of one open lot and one earthen wastewater retention structure. The cattle operation consists of 0.45 acres of open dirt lots.

Public Notice No. KS-06-142/149		
NAME AND ADDRESS OF APPLICANT	WATERWAY	TYPE OF DISCHARGE
Caney, City of 211 West 5 th Street Caney, KS 67333	Little Caney Creek	Process Wastewater

Kansas Permit No. I-VE04-PO01 Legal: NW¼, NW¼, SE¼, S2, T35S, R13E, Montgomery County, KS	Federal Permit No. KS0097233
--	------------------------------

Facility Name: Caney Water Treatment Plant

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from

an existing water treatment plant. The raw water is treated with ferric chloride and powdered activated carbon, settled, filtered using microfiltration membranes, chlorinated and stabilized with ammonia prior to introduction into the distribution system. Sludge from the clarifiers, chlorinated filter backwash water and clean-in-place chemicals consisting of a sodium hypochlorite / caustic solution or a citric acid solution are routed to a two cell parallel or series operated lagoon wastewater treatment facility which overflows to the receiving stream. This permit is for the discharge of the overflow from the two cell wastewater lagoon facility. The proposed permit includes limits for total suspended solids and pH as well as monitoring of total residual chlorine and sludge levels in lagoon cells. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Delia, City of
PO Box 17
Delia, KS 66418

Kansas River via
Salt Creek

Treated Domestic
Wastewater

Kansas Permit No. M-KS10-OO01

Federal Permit No. KS0046443

Legal Description: SE $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, S28, T9S, R13E, Jackson County, KS

Facility Description: The proposed action is to reissue an existing permit for expansion of the current facility from a two cell to a three cell lagoon system with an increase in permitted flow from 0.013 to 0.020 MGD. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, fecal coliform, and pH. Contained in the permit is a schedule of compliance requiring permittee to comply with the terms and conditions established in an Amended Consent Agreement dated April 19, 2005 covering the above facility. Because of a permitted expansion of the facility, the Department has developed and approved an anti-degradation review for the expansion. The proposed permit will allow an increase in the mass loading of certain pollutant parameters above those in the current receiving stream, but will not increase concentrations above those current existing or as necessary to maintain existing and designated uses. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Hesston, City of
PO Box 100
Hesston, KS 67062

Emma Creek via
Middle Emma Creek

Treated Domestic
Wastewater

Kansas Permit No. M-LA07-IO01

Federal Permit No. KS0022799

Facility Description: E $\frac{1}{2}$, NW $\frac{1}{4}$, S22, T22S, R1W, Harvey County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, pH. Monitoring of chlorides, dissolved oxygen, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, and effluent flow will also be required. Permittee is required to perform a Chronic Whole Effluent Toxicity (WET) test annually. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Huron, City of
PO Box 154
Huron, KS 66041

Delaware River via
Little Grasshopper Creek
via Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-KS26-0001

Federal Permit No. KS0047473

Facility Description: NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, S12, T5S, R18E, Atchison County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform as well as monitoring of ammonia and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Public Wholesale Water
Supply District No. 4
PO Box 6
Cherryvale, KS 67335

Big Hill Creek

Process Wastewater

Kansas Permit No. I-VE28-PO01

Federal Permit No. KS0096938

Facility Description: NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, S18, T32S, R18E, Labette County, KS

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from an existing potable water treatment plant. The wastewater treatment system consists of four lagoon cells. Filter backwash water flows by gravity to the large treatment cell via a concrete transfer well located at the lagoon system. Wastewater from the solids contact units (alum sludge) and miscellaneous wastewater flows by gravity into one of the three smaller treatment cells. A pump located in the concrete transfer well is used to lower water levels in the lagoon cells. There are no standard effluent structures in any of the lagoon cells by which wastewater can be discharged. All domestic wastewater is directed to a separate on-site treatment system. The proposed permit contains limits for total suspended solids and pH as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Topeka, City of
c/o Don Rankin
3245 Waterworks Drive
Topeka, KS 66606

Kansas River

Process Wastewater

Facility Name: Topeka Water Treatment Plant

Kansas Permit No. I-KS72-PO16

Federal Permit No. KS0087262

Facility Description: NE $\frac{1}{4}$, S26, T11S, R15E, Shawnee County, KS

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from an existing potable water treatment plant. Wastewater and residuals generated from the treatment processes consists of primary and secondary pre-sedimentation basin underflows, primary and secondary clarifier basin discharges and filter backwash water. The lime slurry from the clarifiers is

collected, gravity thickened, mechanically dewatered, and transported for disposal / reuse. The wastewater from the lime slurry dewatering process is routed back to the head of the plant. The pre-sedimentation basin underflows are discharged through two existing outfalls. The filter backwash water is dechlorinated and then discharged through internal outfall 001B before being mixed with the west train pre-sedimentation basin underflows and discharged through outfall 001A. Emergency discharges from the clarifier basins are routed to outfall 001B if the residuals process system is out of service. Domestic wastes are routed to the sanitary sewer system. The proposed permit contains limits for total residual chlorine and pH. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Auburn-Washburn Unified
School District No. 437
5928 S.W. 53rd. Street
Topeka, KS 66610

Wakarusa River via
Six Mile Creek via
Unnamed Tributary

Treated Domestic
Wastewater

Facility Name: Jay Shideler Elementary School

Facility Location: 4948 S.W. Wanamaker Road, Topeka, KS 66610

Kansas Permit No. M-KS72-OO11

Federal Permit No. KS0078921

Legal Description: SW $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, S28, T12S, R15E, Shawnee County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, and pH. Monitoring of nitrates, nitrites, total Kjeldahl nitrogen, total Nitrogen, and total phosphorus will also be required. Contained in the permit is a schedule of compliance requiring the permittee to hire a Kansas licensed engineer to develop a facility plan to bring this facility into compliance and to provide a draft of that plan within 6 months of the effective date of the permit. Permittee is required to complete upgrades as necessary to achieve consistent compliance with the permit by December 31, 2009. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Auburn-Washburn Unified
School District No. 437
5928 S.W. 53rd. Street
Topeka, KS 66610

Wakarusa River via
Six Mile Creek via
Unnamed Tributary

Treated Domestic
Wastewater

Facility Name: Washburn Rural Jr. & Sr. High School

Facility Location: 5900 SW 61st Street, Topeka, KS 66605

Kansas Permit No. M-KS72-OO16

Federal Permit No. KS0089168

Legal Description: SW $\frac{1}{4}$, SW $\frac{1}{4}$, S33, T12S, R15E, Shawnee County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, and pH. Monitoring of nitrates, nitrites, total Kjeldahl nitrogen, total nitrogen, total phosphorus, and effluent flow will also be required. Contained in the permit

is a schedule of compliance requiring the permittee to hire a Kansas licensed engineer to develop a facility plan to bring this facility into compliance and to provide a draft of that plan within 6 months of the effective date of the permit. Permittee is required to complete upgrades as necessary to achieve consistent compliance with the permit by December 31, 2009. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **October 21, 2006**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-334/342, KS-06-142/149) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.